

1  
2  
3  
4  
5 **UNITED STATES DISTRICT COURT**  
6 **DISTRICT OF NEVADA**

7 \* \* \*

8 UNITED STATES OF AMERICA, )

9 Plaintiff, )

10 vs. )

11 ERIC GRIFFIN, )

12 Defendant. )  
13 \_\_\_\_\_)

2:09-cr-493-RLH-NJK

**ORDER**

(Motion to Continue Medication—#328)

(Motion to Continue Trial—#329)

14 Before the Court are two Motions:

15 1) Motion to Continue the Involuntary Administration of Medication to Restore the Defendant to  
16 Competency (#328, filed January 11, 2013); and

17 2) Motion to Continue Calendar Call and Trial (#329, filed January 11, 2013).

18 Defendant Griffin filed a Consolidated response (#330) on January 15, 2013. The  
19 Court conducted a hearing on the motions and response on January 23, 2013.

20 Accordingly, for good cause appearing, the Court finds as follows:

- 21 1) Defendant is presently being treated and examined to return him to mental competency to  
22 stand trial.  
23 2) That a continuance is in the best interest of justice and constitutes excludable time pursuant to  
24 18 U.S.C. §3161 (h)(1)(A), (h)(4), and (h)(7) and (h)(7)(B).

25 IT IS THEREFORE ORDERED that the Motion to Continue Calendar Call and Trial  
26 (#329) is granted and TRIAL is continued to Monday, June 17, 2013, with CALENDAR CALL on  
the preceding Wednesday, June 12, 2013, at the hour of 8:45 a.m.

///

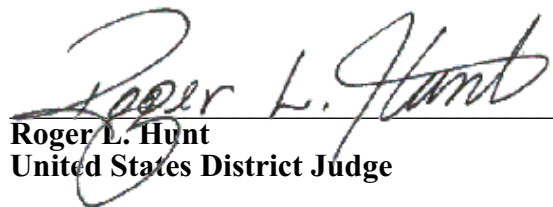
1 IT IS FURTHER ORDERED that the Motion to Continue the Involuntary Administra-  
2 tion of Medication to Restore the Defendant to Competency (#328) is held in abeyance until further  
3 order of the Court to accomplish the following:

- 4 1) Dr. Lea Ann Preston Baecht shall, on or before February 20, 2013, to present to the Court,  
counsel for the government and for the Defendant--  
5 (a) Mr. Griffin's psychological history, to the extent it is known to her;  
6 (b) a list of all medications and tests administered to the date of the report, together with the  
observed result;  
7 (c) Griffin's current ability to understand court proceedings and the consequences of those  
proceedings; and  
8 (d) Dr. Preston Baecht's and those assisting her, current progress, diagnosis, and prognosis, if  
further medication is administered.  
9 2) For the Court's further consideration of the Motion to Continue the Involuntary Administra-  
tion of Medication.

10  
11 IT IS FURTHER ORDERED that the medications may continue to be administered, as  
12 heretofore approved, until further order of the Court.

13 IT IS FURTHER ORDERED that a HEARING shall convene, for the purpose of  
14 considering the information required above and resolution of the Motion to Continue Involuntary  
15 administration of Medication, on February 27, 2013, at the hour of 9:00 a.m.

16 Dated: January 23, 2013.

17  
18   
19 **Roger L. Hunt**  
**United States District Judge**